

1 MELINDA HAAG (CABN 132612)
United States Attorney

2 J. DOUGLAS WILSON (DCBN 412811)
3 Chief, Criminal Division

4 ALEXANDRA P. SUMMER (CABN 266485)
Assistant United States Attorney
5 450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
6 Telephone: (415) 436-7200
Fax: (415) 436-7234
7 alexandra.summer@usdoj.gov

8 Attorneys for the United States of America

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)	CASE NO. CR 14-00059 TEH
14 Plaintiff,)	
15 v.)	PROPOSED ORDER EXCLUDING TIME
16 DUVAL GIBSON,)	UNDER THE SPEEDY TRIAL ACT
17 Defendant.)	
18)	

19 The above-captioned matter came before the Court for a hearing on March 24, 2014. The parties
20 represented that discovery had been provided by the government to defense counsel, and defense
21 counsel was reviewing the discovery with the defendant and wanted a further opportunity to assess
22 whether the defendant is an Armed Career Criminal, as alleged by the government. The Court set a
23 further hearing on May 19, 2014, at 2:30 p.m.

24 The parties agreed and stipulated to an exclusion of time from and including March 24, 2014,
25 through and including May 19, 2014, for effective preparation of counsel. The parties agreed that the
26 time is appropriate and necessary under Title 18, United States Code, § 3161(h)(7)(A), because the
27 needs of justice served by the continuance outweigh the best interest of the public and the defendant in a
28 speedy trial. This exclusion will allow time for effective preparation of defense counsel, taking into


[PROPOSED] ORDER EXCLUDING TIME
CR 14-00059 TEH

1 account the exercise of due diligence.

2 As found during the March 24, 2014, hearing, the Court finds that the time from and including
3 March 24, 2014, through and including May 19, 2014, is excluded under the Speedy Trial Act, 18
4 U.S.C. § 3161(h)(7)(A), because the ends of justice served by such exclusion outweigh the best interest
5 of the public and the defendant in a speedy trial. This finding is based upon the need for effective
6 preparation of defense counsel, pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv).

7
8 IT IS SO ORDERED.

9
10 DATED: 4/7/14


11 HON. THELTON E. HENDERSON
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28